

1 THE HONORABLE JAMAL N. WHITEHEAD
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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 PORT OF VANCOUVER, USA,
12 Petitioner,
13 v.
14 BNSF RAILWAY COMPANY,
15 Respondent.

Case No. 3:23-cv-05109-JNW
STIPULATED ORDER AND
JUDGMENT CONFIRMING
ARBITRATION AWARDS

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17 This matter comes before the court on Petitioner Port of Vancouver, USA's ("Port")
18 Petition to Confirm Arbitration Awards ("Petition"). The Court has carefully reviewed the
19 Petition and supporting declaration and exhibits, Respondent BNSF Railway Company's
20 Response to the Port's Petition and supporting declaration and exhibits, the Stipulated
21 Motion for Entry of Order Granting Petition to Confirm Arbitration Awards (Dkt. #17) and
22 any other relevant pleadings and paper. The parties further stipulate to entry of this Order and
23 Judgment.

24 The redacted Partial Final Award attached hereto as Exhibit 1, and the redacted Final
25 Arbitration Award, attached as Exhibit 2, were properly issued by the duly appointed
26 arbitrators following arbitration proceedings. The referenced Partial Final Award and Final

STIPULATED ORDER AND JUDGMENT
CONFIRMING ARBITRATION AWARDS - 1

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1 Award have not been modified, corrected, or vacated since entry.

2 Accordingly, it is **ORDERED, ADJUDGED, AND DECREED** that the Court
3 enters Judgment in accordance with the Award as follows:

4 1. The redacted Partial Final Award and redacted Final Award are confirmed in
5 their entirety.

6 2. The parties will bear their own costs and fees incurred in connection with this
7 proceeding.

8 DATED this 7th day of June, 2023.



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11 Jamal N. Whitehead
12 United States District Judge

13 IT IS SO STIPULATED:

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15 SCHWABE, WILLIAMSON & WYATT, P.C.

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STIPULATED ORDER AND JUDGMENT
CONFIRMING ARBITRATION AWARDS - 2

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